

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOBBY L. DICKERSON, JR.,

Petitioner,

v.

UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF
WASHINGTON, *et al.*,

Respondents.

CASE NO. C11-188-MJP-JPD

REPORT AND RECOMMENDATION

Pro se petitioner Bobby L. Dickerson, Jr., filed a proposed 28 U.S.C. § 2241 habeas petition without a filing fee and without an application to proceed *in forma pauperis* ("IFP"). (Dkt. 1.) On February 11, 2011, mail directed to plaintiff by the Clerk was returned as undeliverable. (Dkt. 3 (informing petitioner that he had until March 3, 2011, to submit a filing fee or an IFP application); Dkt. 4 (mail returned as undeliverable).) Local Rule CR 41(b)(2) provides as follows:

A party proceeding *pro se* shall keep the court and opposing parties advised as to his current address. If mail directed to a *pro se* plaintiff by the clerk is returned by the post office, and if such plaintiff fails to notify the court and opposing parties within sixty days thereafter of his current address, the court may dismiss

01 the action without prejudice for failure to prosecute.

02 Thus, petitioner should have notified the Court of his current address at latest by April 12, 2011.

03 *See also* Local Rule W.D. Wash. CR 10(f) (requiring parties to notify the Court within ten days

04 of a change of address). Because petitioner has failed to notify the Court of his current address

05 by the sixty-day deadline to do so, this action should be dismissed without prejudice for failure


06 to prosecute.

07 The Court recommends that this action be **DISMISSED** without prejudice for failure to

08 prosecute pursuant to Local Rule CR 41(b)(2). A proposed order accompanies this Report and

09 Recommendation.

10 DATED this 21st day of April, 2011.

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12 JAMES P. DONOHUE
13 United States Magistrate Judge
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